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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,406	10/23/2001	Ernest C. Weyhrauch	FMO P-3300-2	3068

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EXAMINER

WILLIAMS, JOSEPH L

ART UNIT PAPER NUMBER

2879

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,406

Applicant(s)

WEYHRAUCH, ERNEST C.

Examiner

Joseph L. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 11-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-10, drawn to an incandescent lamp with flattened filament support leads, classified in class 313, subclass 578.
 - II. Claims 11-15, drawn to a method of making an incandescent lamp with flattened filament support leads, classified in class 445, subclass 50.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case as opposed to flattening the end portion of the lead wire first then applying a roughened surface treatment to the flattened portion, the filament end could be roughed first, then flattened.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. During a telephone conversation with Mr. James Stevens on 20 January 2003 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-10. Affirmation of this election must be made by applicant in replying to this Office action. Claims 11-15 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Wolfe et al. (US 3,904,908).

7. Regarding claim 1, Wolfe ('908) teaches in figure 2 and in column 2, lines 33-67 an incandescent lamp comprising: a filament (13) capable of emitting light, a lead wire (16-18) supporting the filament (13) and at least partially forming an electrical network capable of supplying electrical current to the filament (13), the lead wire having a flattened outer end (fingers, see column 2, line 44), and an envelope (11) surrounding the filament (13) and at least a portion of the lead wire (16-18) that includes the flattened outer end, wherein the flattened outer end includes a narrow profile (no number) and a wide profile (no number) and is oriented such that the narrow profile is

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aligned with the direction of illumination of light emitted by the filament (not drawn, but if looked at from top (40) downward, the profile is the same as figure 3 of the instant application).

8. Regarding claim 2, Wolfe ('908) teaches in column 2, lines 35-36 that the lamp is a vehicle headlamp.

9. Regarding claim 3, Wolfe ('908) teaches in column 2, lines 35-36 that the lamp is an incandescent halogen lamp.

10. Regarding claim 6, Wolfe ('908) teaches in figure 2 and in column 2, lines 33-67, the lead wire comprises a first lead wire (16) and further comprising a second lead wire (17) at least partially located within the envelope (11), wherein the filament (13) has a first end (no number) connected to the flattened outer end of the first lead wire (16) and the filament has a second end (no number) connected to the second lead wire (17).

11. Regarding claim 7, Wolfe ('908) teaches in figure 2 and in column 2, lines 33-67, a second filament (12) and a third lead wire (18), with the filament and at least a portion of the third lead wire (18) being located within the envelope (11), the third lead wire having a flattened outer end that includes a narrow profile (no number) aligned with the direction of light emitted by the second filament (12), wherein the second filament

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(12) has a first end (no number) connected to the flattened outer end of the third lead wire (18) and a second end connected to the second lead wire (17).

12. Regarding claim 8, Wolfe ('908) teaches in figure 2 and in column 2, lines 33-67 an incandescent halogen lamp for use with a vehicle headlamp system, comprising: a first filament (13) capable of emitting light and having a first and second end (no number), a second filament (12) capable of emitting light and having a third and fourth end (no number), a first lead wire (16) supporting the first filament (13) and at least partially forming an electrical network capable of supplying electrical current to the first filament (13), the first lead wire (16) having a flattened outer end (fingers, see column 2, line 44) connected to the first end, a second lead wire (18) supporting the second filament (12) and at least partially forming an electrical network capable of supplying electrical current to the second filament (12), the second lead wire (18) having a flattened outer end (fingers, see column 2, line 44) connected to the third end, a ground wire (17) at least partially forming an electrical network capable of supplying electrical current to the first and second filaments (12, 13) and having an outer end connected to the third and fourth ends (no numbers), and a sealed envelope (11) containing a halogen gas (column 2, lines 35-36) and surrounding the first and second filaments (12, 13), the flattened outer ends of the first and second lead wires (16, 18) and the outer end of the ground wire (17), wherein the flattened outer ends each comprise a narrow profile (no number) and a wide profile (no number) and each of the flattened outer ends is oriented such that the narrow profile is aligned with the direction of illumination of light

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emitted by the filament to which they are attached (not drawn, but if looked at from top (40) downward, the profile is the same as figure 3 of the instant application).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe et al. (US 3,904,908), of record, in view of English et al. (US 6,093,999), of record by Applicant.

15. Regarding claim 9, Wolfe ('908) teaches in figure 2 and in column 2, lines 33-67 an incandescent lamp comprising: a filament (13) capable of emitting light, a lead wire (16-18) supporting the filament (13) and at least partially forming an electrical network capable of supplying electrical current to the filament (13), the lead wire having a flattened outer end (fingers, see column 2, line 44), and an envelope (11) surrounding the filament (13) and at least a portion of the lead wire (16-18) that includes the flattened outer end, wherein the flattened outer end includes a narrow profile (no number) and a wide profile (no number) and is oriented such that the narrow profile is aligned with the direction of illumination of light emitted by the filament (not drawn, but if

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looked at from top (40) downward, the profile is the same as figure 3 of the instant application).

16. Wolfe ('908) does not disclose the use of a reflector partially surrounding the envelope and a front lens.

17. Wolfe ('908) does disclose in column 2, lines 23-25 that the bulb can be used in a vehicle headlamp. It is well known in the art that a vehicle headlamp includes a reflector and a front lens for the purpose of directing the light emitted from the bulb forward and thus reducing the amount of glare.

18. English ('999) teaches in figure 1 and in column 1, lines 55-62 a vehicle headlamp comprised of, in part, a reflector (14) partially surrounding the envelope (12) and a front lens (column 2, lines 62), with the incandescent lamp being located between the lens and reflector such that a portion of the light emitted from the lamp is redirected by the reflector to exit the headlamp system through the lens, for the purpose of directing the light emitted from the bulb forward and thus reducing the amount of glare.

19. Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the reflector and lens of English with the light bulb of Wolfe for the purpose of directing the light emitted from the bulb forward and thus reducing the amount of glare.

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20. Regarding claim 10, primary reference Wolfe (908) teaches in column 2, lines 35-36 that the incandescent lamp is a halogen lamp.

Allowable Subject Matter

21. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

22. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record neither shows nor suggest an incandescent lamp with a lead wire with a wide profile of the flattened outer end of the lead wire has a surface including a non-reflective surface feature, along with the other limitations of the claim.

Contact Information

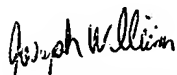
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (703) 305-1670. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (703) 305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Joseph Williams
Examiner
Art Unit 2879
January 27, 2003